

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

INDEMNITY INSURANCE COMPANY OF)
NORTH AMERICA, a/s/o Harris Corporation)

Plaintiff,)

- against-)

PORT AIR CARGO INTERNATIONAL CORP.;)
ATLAS AIRLINES; ATLAS AIR INC; SKS)
LOGISTICS)

Defendants.)

INDEX: 07cv5872 (PKC)

**C.A.L. CARGO AIR LINES LTD.
ANSWER TO PORT AIR
CARGO INTERNATIONAL
CORP.'S CROSS-CLAIM**

ATLAS AIRLINES AND ATLAS AIR INC)

Third-Party Plaintiffs,)

- against-)

C.A.L. CARGO AIRLINES and AVIAPARTNER)

Third-Party Defendants.)

Third-Party Defendant C.A.L. CARGO AIR LINES LTD., s/h/a C.A.L. CARGO AIRLINES, by its attorneys ECKERT SEAMANS CHERIN & MELLOTT, LLC, as for its Answer to defendant PORT AIR CARGO INTERNATIONAL CORP.'S Cross-Claim, upon information and belief, answers as follows:

1. This Third-Party defendant denies each and every allegation and affirmative defense contained in paragraphs 1 through 22 of PORT AIR CARGO INTERNATIONAL CORP.'S ANSWER TO THE COMPLAINT WITH CROSS CLAIMS.

2. This Third-Party defendant repeats and realleges each and every affirmative defense, admission, denial and denial of knowledge or information contained in C.A.L CARGO

AIR LINES LTD. ANSWER TO THIRD-PARTY COMPLAINT with the same force and effect as if set forth herein at length.

3. This Third-Party defendant denies each and every allegation contained in paragraph 23 of PORT AIR CARGO INTERNATIONAL CORP.'S ANSWER TO THE COMPLAINT WITH CROSS CLAIMS.

4. This Third-Party defendant denies each and every allegation contained in paragraph 24 of PORT AIR CARGO INTERNATIONAL CORP.'S ANSWER TO THE COMPLAINT WITH CROSS CLAIMS.

WHEREFORE, Third-Party defendant C.A.L. CARGO AIR LINES LTD. respectfully requests that: (i) the Court declare that if this Third-Party defendant is held liable to plaintiff and/or Third-Party plaintiff that judgment be rendered against PORT AIR CARGO INTERNATIONAL CORP., SKS LOGISTICS, ATLAS AIR and/or AVIAPARTNER for the damages sustained by Third-Party plaintiff and/or plaintiff; (ii) having fully answered all of the allegations of the Third-Party Complaint and Cross-Claim, this third-party defendant prays that the Third-Party Complaint and Cross-Claim be dismissed with interest, costs, expenses and attorney's fees; and (iii) such other and further relief as this Court deems just and proper.

Dated: White Plains, New York
October 26 2007

**ECKERT SEAMANS CHERIN
& MELLOTT, LLC**

/s/ Geraldine A. Cheverko
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